

### **REMARKS**

In the office action under reply, the Examiner has rejected claims 16-19 under 35. U.S.C. §102, as anticipated by various references. Applicants gratefully acknowledge the Examiner's indication that claims 1 and 11-15 are allowable.

In the present amendment, claims 16-19 have been canceled. Thus, claims 1 and 11-15 are now pending. The Examiner's rejection is fully addressed by the above amendments.

#### **The Amendments to the Claims:**

Claims 16-19 have been canceled. Cancellation of these claims is without prejudice, without intent to abandon any previously claimed subject matter, and without intent to acquiesce in any rejection of record.

Applicants submit that no new matter has been added and no new issues are raised by the aforementioned amendments to the claims. Thus, entry of the above-amendments is proper and is earnestly requested.

#### **The Rejections Under 35 U.S.C. §102(b) and (e):**

The Examiner has rejected claims 16-19 over Feoktistov et al. and U.S. Patent No. 6,440,933 to Bowdor et al. While the Applicants do not necessarily agree with the Examiner's rejection, claims 16-19 have been cancelled in order to expedite allowance of the application. Applicants reserve the right to prosecute claims drawn to the rejected subject matter in later-filed continuing applications.

### CONCLUSION

For the foregoing reasons, applicant submits that the claims comply with the requirements of 35. U.S.C. §§102 and are in condition for allowance. A Notice of Allowance is requested, and a prompt mailing thereof would be much appreciated.

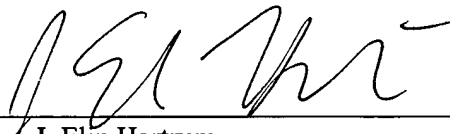
Should the Examiner have any questions regarding this amendment, he or she is welcomed to contact the undersigned attorney at (650) 384-8755.

Respectfully submitted,

Date:

2/9/04

By:



J. Elin Hartrum  
Reg. No. 43,663

CV Therapeutics, Inc.  
3172 Porter Drive  
Palo Alto, CA 94304  
Tel: (650) 812-0585  
Fax: (650) 475-0359



**APPENDIX A**

**CLEAN COPY OF CLAIMS AS AMENDED HEREIN**

1. A method for inhibiting the proliferation of mammalian retinal endothelial cells comprising administering a therapeutically effective amount of 3-N-propylxanthine to the mammalian retinal endothelial cells, whereby the proliferation of the mammalian retinal endothelial cells is inhibited.

11. The method of claim 1 wherein the A<sub>2B</sub> adenosine receptor antagonist is administered in an amount ranging from about 1 microgram/kg to about 50 miligrams/kg.

12. The method of claim 1 wherein the A<sub>2B</sub> adenosine receptor antagonist is administered in an amount ranging from about 1 microgram/kg to about 10 miligrams/kg.

13. The method of claim 1 wherein the A<sub>2B</sub> adenosine receptor antagonist is administered by a method selected from the group consisting of orally, nasally, transdermally, by bolus, intravenously, in eye drops, by inhalation, and by using micropumps.

14. The method of claim 1 wherein the A<sub>2B</sub> adenosine receptor antagonist is administered in eye drops.

15. The method of claim 1 wherein the mammal is a human.